

*Date of Vote: 25th April, 2019*

Billet d'État:	VII of 2019
Article:	2
Proposition No.:	P.2019/22
Committee:	States' Assembly & Constitution Committee
Subject:	General Election 2020
Proposition type:	Propositions: 3d; e; f; g; h; i; j; m; q; t; u; v; w 4

CARRIED: **Pour: 40** **Contre: 0** **Ne vote pas: 0** **Absent: 0**

St. Peter Port South

Deputy Peter T. R. Ferbrache **P**
Deputy Jan Kuttelwascher **P**
Deputy Dawn A. Tindall **P**
Deputy Barry L. Brehaut **P**
Deputy Rhian H. Tooley **P**

St. Peter Port North

Deputy John A. B. Gollop **P**
Deputy Charles N. K. Parkinson **P**
Deputy Lester C. Queripel **P**
Deputy Michelle K. Le Clerc **P**
Deputy Marc P. Leadbeater **P**
Deputy Joseph I. Mooney **P**

St. Sampson

Deputy Lyndon S. Trott **P**
Deputy Paul R. Le Pelley **P**
Deputy Jennifer S. Merrett **P**
Deputy Gavin A. St Pier **P**
Deputy T. Jane Stephens **P**
Deputy Carl P. Meerveld **P**

Vale

Deputy Matthew J. Fallaize **P**
Deputy Neil R Inder **P**
Deputy Mary M. Lowe **P**
Deputy Laurie B. Queripel **P**
Deputy Jeremy C. S. F. Smithies **P**
Deputy Sarah T. Hansmann Rouxel **P**

Castel

Deputy Richard H. Graham **P**
Deputy Christopher J. Green **P**
Deputy Barry J. E. Paint **P**
Deputy Mark H. Dorey **P**
Deputy Jonathan P. Le Tocq **P**

West

Deputy Alvord H. Brouard **P**
Deputy Andrea C. Dudley-Owen **P**
Deputy Emilie A. Yerby **P**
Deputy David de G. De Lisle **P**
Deputy Shane L. Langlois **P**

South-East

Deputy Heidi J. R. Soulsby **P**
Deputy H. Lindsay de Sausmarez **P**
Deputy Peter J. Roffey **P**
Deputy Robert G. Prow **P**
Deputy Victoria S. Oliver **P**

Alderney

Alderney Representative Stephen Roberts **P**
Alderney Representative Alexander Snowdon **P**

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

GENERAL ELECTION 2020

The States are asked to decide whether, after consideration of the policy letter entitled "General Election 2020" dated 7th March 2019, they are of the opinion:-

1. That a General Election of People's Deputies be held on Wednesday, 17th June 2020.
2. That *the Reform (Guernsey) Law, 1948*, be further amended to provide that with effect from the General Election to be held in June 2020 there shall be one island-wide electoral district to elect 38 Deputies for a four-year term and that each voter would have up to 38 votes at each election.
3. To agree the following proposals with effect from the June 2020 General Election:
 - (a) For the purposes of entitlement to be inscribed on the Electoral Roll, the phrase "ordinarily resident" should be defined. A person should be treated as being ordinarily resident during any period only if they were living lawfully in Guernsey and had their home in Guernsey throughout that period.
 - (b) Individuals with no fixed or permanent address should be able to register on the Electoral Roll.
 - (c) A person should be able to apply to the Registrar-General of Electors for their name and address to be omitted from the Electoral Roll available for public inspection. Such application shall be made in such form and manner and accompanied by such information, documents and other material as the Registrar-General of Electors may require.
 - (d) The right to make rules relating to the publication, inspection and availability of the Electoral Roll should be transferred from the States' Assembly & Constitution Committee to the Committee *for* Home Affairs.
 - (e) References to 'Christian names' should be changed to 'forenames' in the legislation and in relevant documents.
 - (f) The Registrar-General of Electors should in relevant circumstances be able to request proof of the date of birth of Islanders wishing to be registered on the Electoral Roll. A failure unreasonably to provide proof of age following a request shall entitle the Registrar-General to refuse to inscribe an elector on the Roll.

- (g) The Registrar-General of Electors should have the power to remove a person's name from the Electoral Roll where satisfied, on the basis of evidence available to them, that the person is no longer resident or is deceased.
- (h) The Registrar-General of Electors should have the ability to create a Supplementary Register and Supplementary Electoral Roll.
- (i) Existing provisions should be amended to enable the Registrar-General of Electors to provide to each polling station a mechanism or facility through which the details of those Islanders casting their vote can be recorded, and which can subsequently be used to identify any instances of double voting.
- (j) The *Loi Relative au Scrutin Secret, 1899, as amended* should be repealed and replaced by appropriate, equivalent provisions in the Reform Law.
- (k) The full age to be eligible to stand for election as a People's Deputy should be reduced to 18 years old and the *Law Reform (Age of Majority and Guardianship of Minors) (Guernsey) Law, 1978* amended accordingly.
- (l) Candidates should be required to be inscribed on the Electoral Roll to be eligible to stand for election as a People's Deputy.
- (m) Nomination of a candidate for office as a People's Deputy should be made in such form and during such period and subject to such conditions as the Presiding Officer prescribes and that the nomination period should commence and end as determined by the Presiding Officer further to a recommendation from the States' Assembly & Constitution Committee.
- (n) The regulated period should commence from the start of the nomination period and end on the day of the election.
- (o) The definition of political parties should be based upon the criteria set out by the Venice Commission.
- (p) A registration process based upon paragraphs 10.6 to 10.12 should be created for political parties who wish to endorse one or more of their members for candidacy in the 2020 General Election.
- (q) Expenditure limits for candidates who are members of political parties and political parties should be set by Ordinance to allow for developments over time for this new process and the *Reform (Guernsey) Law, 1948* should be amended to include power enabling the States to make such an Ordinance.
- (r) The rules relating to donations/loans to candidates and parties should be based upon the recommendations in paragraphs 10.23 - 33.
- (s) The rules relating to postal votes should be amended to enable:

- (i) a person to also return their vote to a polling station; and
 - (ii) the Registrar-General to re-issue or cancel postal ballot packs in specific circumstances.
- (t) Every eligible voter should be entitled to vote at an advance polling station and the relevant arrangements should be introduced in line with paragraphs 11.15 - 22.
- (u) The Committee should be able to make regulations, in consultation with the Registrar-General, regarding the dates and times at which polling stations must be open for advance voting and on Election Day.
- (v) The Registrar-General of Electors, rather than the Constables of a Parish, should provide for the establishment of polling stations (further to consultation with the Constables of the Parishes concerned) and any such additional polling stations as they may deem convenient to the voter.
- (w) The structure overseeing the administration of elections should be amended to enable the appointment of a Returning Officer for the Island and the appointment of polling station Officers as set out in paragraphs 13.23 to 13.30.
- (x) Relevant arrangements should be put in place to enable an electronic vote count and a manual vote count, if required.
- (y) Following a recount (or if no eligible candidate requests a recount within the permitted period) a tied election should be broken by drawing lots using a method decided by the Returning Officer.
- (z) A by-election should be triggered when the casual vacancies in the office of Deputy reaches two vacancies.
- (aa) Arrangements should put in place to enable international observers to be invited to participate in an election observation exercise.
- (bb) The dates of the July 2020 States' Meetings should be as set out in column two of the table under Section 17 and that a 'special meeting' is scheduled on Tuesday 28th July to debate 'The States of Guernsey Accounts 2019'.
4. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

The above Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.